

Bring Back Our \$30 Car Tabs

AN ACT Relating to limiting government-imposed charges relating to motor vehicles; amending RCW 46.17.350, 46.17.355, 82.80.140, 46.16.005, 46.17.015, 46.17.025, 46.17.375, 81.100.060, 81.100.060, 82.08.020, and 81.104.160; adding a new section to chapter 46.17 RCW; adding a new section to chapter 81.112 RCW; repealing RCW 46.17.365, 46.68.415, 82.80.100, and 82.80.130; and creating new sections.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

POLICIES AND PURPOSES

NEW SECTION. **Sec. 1.** Voters have repeatedly approved \$30 tabs, yet politicians are ignoring the voters' repeated, unambiguous mandate by imposing higher and higher vehicle taxes and fees, by calculating vehicle taxes and fees dishonestly and inaccurately to extract artificially high amounts of revenue from taxpayers, and by ignoring the provisions of voter-approved initiatives. It's not fair and it must stop. As long as taxpayers must pay a huge general sales tax to buy a vehicle (meaning state and local governments receive huge windfalls of sales tax revenue from these transactions) and pay a huge gas tax to use a vehicle, the people find that the government is not entitled to a "third bite of the apple," taxes and fees above a reasonable annual amount to simply own a vehicle. Without this follow-up measure, "tab creep" will continue until vehicle charges are once again obscenely expensive, as they were prior to Initiative 695. This measure and each of its provisions limit government-imposed charges relating to motor vehicles. This measure would cap motor vehicle registration fees at \$30 per year, repeal taxes and fees exceeding the \$30 limit, and prohibit the imposition and collection of voter-repealed vehicle taxes. Politicians promised "\$30 license tabs are here to stay."

Politicians should keep their promises. Voters have repeatedly approved \$30 tabs. Politicians must learn to listen to the people.

**LIMITING GOVERNMENT-IMPOSED CHARGES RELATING TO MOTOR VEHICLES
BY CAPPING MOTOR VEHICLE REGISTRATION FEES AT \$30 PER YEAR**

NEW SECTION. **Sec. 2.** A new section is added to chapter 46.17 RCW to read as follows:

(1) Motor vehicle registration fees may not exceed \$30 per year for motor vehicles, regardless of year, value, make, or model. No vehicle owner is legally obligated to pay more than \$30 per year for the sum of state and local taxes and fees that make up the combined motor vehicle registration fee paid at the time of licensing or renewal.

(a) For the purposes of this section, "motor vehicle registration fees" are defined as the general license tab fees paid annually for licensing motor vehicles, including but not limited to cars, sport utility vehicles, light trucks under RCW 46.17.355, motorcycles, and motor homes, and do not include voter-approved charges. This annual fee shall be paid and collected annually and is due at the time of initial and renewal vehicle registration.

(2) In any jurisdiction, state or local, which imposes nonvoter-approved vehicle charges, the state portion of the motor vehicle registration fee in RCW 46.17.350 and 46.17.355 must be reduced by the amount of any nonvoter-approved vehicle charges in order to provide that the motor vehicle registration fee not exceed the limits under subsection (1) of this section.

Sec. 3. RCW 46.17.350 and 2011 c 171 s 61 are each amended to read as follows:

(1) Before accepting an application for a vehicle registration, the department, county auditor or other agent, or subagent appointed by the director shall require the applicant, unless specifically exempt, to pay the following vehicle license fee by vehicle type:

VEHICLE TYPE	INITIAL FEE	RENEWAL FEE	DISTRIBUTED UNDER
--------------	-------------	-------------	-------------------

(a) Auto stage, six seats or less	\$ 30.00	\$ 30.00	RCW 46.68.030
(b) Camper	\$ 4.90	\$ 3.50	RCW 46.68.030
(c) Commercial trailer	\$ ((34.00)) <u>30.00</u>	\$ 30.00	RCW 46.68.035
(d) For hire vehicle, six seats or less	\$ 30.00	\$ 30.00	RCW 46.68.030
(e) Mobile home (if registered)	\$ 30.00	\$ 30.00	RCW 46.68.030
(f) Moped	\$ 30.00	\$ 30.00	RCW 46.68.030
(g) Motor home	\$ 30.00	\$ 30.00	RCW 46.68.030
(h) Motorcycle	\$ 30.00	\$ 30.00	RCW 46.68.030
(i) Off-road vehicle	\$ 18.00	\$ 18.00	RCW 46.68.045
(j) Passenger car	\$ 30.00	\$ 30.00	RCW 46.68.030
(k) Private use single-axle trailer	\$ 15.00	\$ 15.00	RCW 46.68.035
(l) Snowmobile	\$ ((50.00)) <u>30.00</u>	\$ ((50.00)) <u>30.00</u>	RCW 46.68.350
(m) Snowmobile, vintage	\$ 12.00	\$ 12.00	RCW 46.68.350
(n) Sport utility vehicle	\$ 30.00	\$ 30.00	RCW 46.68.030
(o) Tow truck	\$ 30.00	\$ 30.00	RCW 46.68.030
(p) Trailer, over 2000 pounds	\$ 30.00	\$ 30.00	RCW 46.68.030
(q) Travel trailer	\$ 30.00	\$ 30.00	RCW 46.68.030
(r) Wheeled all-terrain vehicle, on-road use	\$ 12.00	\$ 12.00	RCW 46.09.540
(s) Wheeled all-terrain vehicle, off-road use	\$ 18.00	\$ 18.00	RCW 46.09.510

(2) The vehicle license fee required in subsection (1) of this section may not exceed \$30 (~~(is in addition to the filing fee required under RCW 46.17.005, and any other fee or tax required by law)~~).

Sec. 4. RCW 46.17.355 and 2011 c 171 s 61 are each amended to read as follows:

(1) In lieu of the vehicle license fee required under RCW 46.17.350 and before accepting an application for a vehicle registration for motor vehicles described in RCW 46.16A.455, the department, county auditor or other agent, or subagent appointed by the director shall require the applicant, unless specifically exempt, to pay the following license fee by gross weight:

WEIGHT	SCHEDULE A	SCHEDULE B
4,000 pounds	\$ ((38.00)) <u>30.00</u>	\$ ((38.00)) <u>30.00</u>
6,000 pounds	\$ ((48.00)) <u>30.00</u>	\$ ((48.00)) <u>30.00</u>
8,000 pounds	\$ ((58.00)) <u>30.00</u>	\$ ((58.00)) <u>30.00</u>
10,000 pounds	\$ ((60.00)) <u>30.00</u>	\$ ((60.00)) <u>30.00</u>
12,000 pounds	\$ 77.00	\$ 77.00
14,000 pounds	\$ 88.00	\$ 88.00
16,000 pounds	\$ 100.00	\$ 100.00
18,000 pounds	\$ 152.00	\$ 152.00
20,000 pounds	\$ 169.00	\$ 169.00

22,000 pounds	\$ 183.00	\$ 183.00
24,000 pounds	\$ 198.00	\$ 198.00
26,000 pounds	\$ 209.00	\$ 209.00
28,000 pounds	\$ 247.00	\$ 247.00
30,000 pounds	\$ 285.00	\$ 285.00
32,000 pounds	\$ 344.00	\$ 344.00
34,000 pounds	\$ 366.00	\$ 366.00
36,000 pounds	\$ 397.00	\$ 397.00
38,000 pounds	\$ 436.00	\$ 436.00
40,000 pounds	\$ 499.00	\$ 499.00
42,000 pounds	\$ 519.00	\$ 609.00
44,000 pounds	\$ 530.00	\$ 620.00
46,000 pounds	\$ 570.00	\$ 660.00
48,000 pounds	\$ 594.00	\$ 684.00
50,000 pounds	\$ 645.00	\$ 735.00
52,000 pounds	\$ 678.00	\$ 768.00
54,000 pounds	\$ 732.00	\$ 822.00
56,000 pounds	\$ 773.00	\$ 863.00
58,000 pounds	\$ 804.00	\$ 894.00
60,000 pounds	\$ 857.00	\$ 947.00
62,000 pounds	\$ 919.00	\$ 1,009.00
64,000 pounds	\$ 939.00	\$ 1,029.00
66,000 pounds	\$ 1,046.00	\$ 1,136.00
68,000 pounds	\$ 1,091.00	\$ 1,181.00
70,000 pounds	\$ 1,175.00	\$ 1,265.00
72,000 pounds	\$ 1,257.00	\$ 1,347.00
74,000 pounds	\$ 1,366.00	\$ 1,456.00
76,000 pounds	\$ 1,476.00	\$ 1,566.00
78,000 pounds	\$ 1,612.00	\$ 1,702.00
80,000 pounds	\$ 1,740.00	\$ 1,830.00
82,000 pounds	\$ 1,861.00	\$ 1,951.00
84,000 pounds	\$ 1,981.00	\$ 2,071.00
86,000 pounds	\$ 2,102.00	\$ 2,192.00
88,000 pounds	\$ 2,223.00	\$ 2,313.00
90,000 pounds	\$ 2,344.00	\$ 2,434.00
92,000 pounds	\$ 2,464.00	\$ 2,554.00
94,000 pounds	\$ 2,585.00	\$ 2,675.00
96,000 pounds	\$ 2,706.00	\$ 2,796.00
98,000 pounds	\$ 2,827.00	\$ 2,917.00
100,000 pounds	\$ 2,947.00	\$ 3,037.00
102,000 pounds	\$ 3,068.00	\$ 3,158.00

104,000 pounds	\$ 3,189.00	\$ 3,279.00
105,500 pounds	\$ 3,310.00	\$ 3,400.00

(2) Schedule A applies to vehicles either used exclusively for hauling logs or that do not tow trailers. Schedule B applies to vehicles that tow trailers and are not covered under Schedule A.

(3) If the resultant gross weight is not listed in the table provided in subsection (1) of this section, it must be increased to the next higher weight.

(4) The license fees provided in subsection (1) of this section (~~((are in addition to the filing fee required under RCW 46.17.005 and any other fee or tax required by law))~~) for light trucks weighing 10,000 pounds or less may not exceed \$30.

(5) The license fee based on declared gross weight as provided in subsection (1) of this section must be distributed under RCW 46.68.035.

**LIMITING GOVERNMENT-IMPOSED CHARGES RELATING TO MOTOR VEHICLES
BY REPEALING TAXES AND FEES IMPOSED ON VEHICLES**

NEW SECTION. **Sec. 5.** The following acts or parts of acts are each repealed:

(1) RCW 46.17.365 (Motor vehicle weight fee – Motor home vehicle weight fee) and 2010 c 161 s 533;

(2) RCW 46.68.415 (Motor vehicle weight fee, motor home vehicle weight fee – Disposition) and 2010 c 161 s 813;

(3) RCW 82.80.100 (Regional transportation investment district--Local option vehicle license fee) and 2011 c 171 s 125; and

(4) RCW 82.80.130 (Passenger-only ferry service--Local option motor vehicle excise tax authorized) and 2010 c 161 s 916.

Sec. 6. RCW 82.80.140 and 2010 c 161 s 917 are each amended to read as follows:

(1) Subject to the provisions of RCW 36.73.065, a transportation benefit district under chapter 36.73 RCW may fix and impose an annual vehicle fee, not to exceed one hundred dollars per

vehicle registered in the district, for each vehicle subject to vehicle license fees under RCW 46.17.350(1) (a), (c), (d), (e), (g), (h), (j), or (n) through (q) and for each vehicle subject to gross weight license fees under RCW 46.17.355 with a scale weight of six thousand pounds or less.

(2)(a) A district that includes all the territory within the boundaries of the jurisdiction, or jurisdictions, establishing the district may impose by a majority vote of the governing board of the district up to twenty dollars of the vehicle fee authorized in subsection (1) of this section as long as the fee increase is approved by voters at an election. In any jurisdiction that legislatively voted prior to the effective date of this act to impose this fee, the fee shall continue to be imposed and collected but since it was not approved by voters at an election, the fee is subject to the requirements of section 2 of this act. If the district is countywide, the revenues of the fee shall be distributed to each city within the county by interlocal agreement. The interlocal agreement is effective when approved by the county and sixty percent of the cities representing seventy-five percent of the population of the cities within the county in which the countywide fee is collected.

(b) A district may not impose a fee under this subsection (2):

(i) For a passenger-only ferry transportation improvement unless the vehicle fee is first approved by a majority of the voters within the jurisdiction of the district; or

(ii) That, if combined with the fees previously imposed by another district within its boundaries under RCW 36.73.065(4) (a) (i), exceeds twenty dollars.

If a district imposes or increases a fee under this subsection (2) that, if combined with the fees previously imposed by another district within its boundaries, exceeds twenty dollars, the district shall provide a credit for the previously imposed fees so that the combined vehicle fee does not exceed twenty dollars.

(3) The department of licensing shall administer and collect the fee. The department shall deduct a percentage amount, as

provided by contract, not to exceed one percent of the fees collected, for administration and collection expenses incurred by it. The department shall remit remaining proceeds to the custody of the state treasurer. The state treasurer shall distribute the proceeds to the district on a monthly basis.

(4) No fee under this section may be collected until six months after approval under RCW 36.73.065.

(5) The vehicle fee under this section applies only when renewing a vehicle registration, and is effective upon the registration renewal date as provided by the department of licensing.

(6) The following vehicles are exempt from the fee under this section:

(a) Campers, as defined in RCW 46.04.085;

(b) Farm tractors or farm vehicles, as defined in RCW 46.04.180 and 46.04.181;

(c) Mopeds, as defined in RCW 46.04.304;

(d) Off-road and nonhighway vehicles, as defined in RCW 46.04.365;

(e) Private use single-axle trailer, as defined in RCW 46.04.422;

(f) Snowmobiles, as defined in RCW 46.04.546; and

(g) Vehicles registered under chapter 46.87 RCW and the international registration plan.

Sec. 7. RCW 46.17.005 and 2010 c 161 s 501 are each amended to read as follows:

(1) A person who applies for a vehicle registration or for any other right to operate a vehicle on the highways of this state shall pay a three dollar filing fee (~~((in addition to any other fees and taxes required by law))~~) subject to the requirements of section 2 of this act.

(2) A person who applies for a certificate of title shall pay a four dollar filing fee in addition to any other fees and taxes required by law.

(3) The filing fees established in this section must be distributed under RCW 46.68.400.

Sec. 8. RCW 46.17.015 and 2010 c 161 s 502 are each amended to read as follows:

(1) A person who applies for a vehicle registration or for any other right to operate a vehicle on the highways of this state shall pay a twenty-five cent license plate technology fee (~~((in addition to any other fees and taxes required by law))~~) subject to the requirements of section 2 of this act. The license plate technology fee must be distributed under RCW 46.68.370.

(2) A vehicle registered under RCW 46.16A.455 or 46.17.330 is not subject to the license plate technology fee.

Sec. 9. RCW 46.17.025 and 2010 c 161 s 503 are each amended to read as follows:

(1) A person who applies for a vehicle registration or for any other right to operate a vehicle on the highways of this state shall pay a fifty cent license service fee (~~((in addition to any other fees and taxes required by law))~~) subject to the requirements of section 2 of this act. The license service fee must be distributed under RCW 46.68.220.

(2) A vehicle registered under RCW 46.16A.455 or 46.17.330 is not subject to the license service fee.

Sec. 10. RCW 46.17.375 and 2010 c 161 s 534 are each amended to read as follows:

(1) Before accepting an application for registration for a recreational vehicle, the department, county auditor or other agent, or subagent appointed by the director shall require an applicant to pay a three dollar fee (~~((in addition to any other fees and taxes required by law))~~) subject to the requirements of section 2 of this act. The recreational vehicle sanitary disposal fee must be deposited in the RV account created in RCW 46.68.170.

(2) For the purposes of this section, "recreational vehicle" means a camper, motor home, or travel trailer.

Sec. 11. RCW 81.100.060 (Imposition of surcharge (as amended by 2006 c 311)) and 2006 c 311 s 15 are each amended to read as follows:

A county with a population of one million or more and a county with a population of from two hundred ten thousand to less than one million that is adjoining a county with a population of one million or more, having within their boundaries existing or planned high occupancy vehicle lanes on the state highway system, or a regional transportation investment district, but only to the extent that the surcharge has not already been imposed by the county, may, with voter approval, impose a local surcharge of not more than ~~((three-tenths of one percent in the case of a county, or eight-tenths of one percent in the case of a regional transportation investment district, of the value on vehicles registered to a person residing within the county or investment district and not more than))~~ 13.64 percent on the state sales and use taxes paid under the rate in RCW 82.08.020(2) on retail car rentals within the county or investment district. A county may impose the surcharge only to the extent that it has not been imposed by the district. ~~((No surcharge may be imposed on vehicles licensed under *RCW 46.16.070 except vehicles with an unladen weight of six thousand pounds or less, RCW **46.16.079, **46.16.085, or *46.16.090.))~~

Counties or investment districts imposing a surcharge under this section shall contract, before the effective date of the resolution or ordinance imposing a surcharge, administration and collection to the state department of licensing, and department of revenue, as appropriate, which shall deduct a percentage amount, as provided by contract, not to exceed ***two percent of the taxes, for administration and collection expenses incurred by the department. ~~((All administrative provisions in chapters 82.03, 82.32, and ***82.44 RCW shall, insofar as they are applicable to motor vehicle excise taxes, be applicable to surcharges imposed under this section.))~~ All administrative provisions in chapters 82.03, 82.08, 82.12, and 82.32 RCW shall, insofar as they are applicable to state

sales and use taxes, be applicable to surcharges imposed under this section. A surcharge imposed under this section, or a change to the surcharge, shall take effect no sooner than seventy-five days after the department of licensing or the department of revenue receives notice of the surcharge or change to the surcharge, and shall take effect only on the first day of January, April, July, or October. Unless waived by the department of licensing or the department of revenue, notice includes providing the appropriate department with digital mapping and legal descriptions of areas in which the ****tax will be collected.

If the tax authorized in RCW 81.100.030 is also imposed, the total proceeds from tax sources imposed under this section and RCW 81.100.030 each year shall not exceed the maximum amount which could be collected under this section.

Sec. 12. RCW 81.100.060 (Excise tax (as amended by 2006 c 318)) and 2006 c 318 s 2 are each amended to read as follows:

A county with a population of one million or more and a county with a population of from two hundred ten thousand to less than one million that is adjoining a county with a population of one million or more, having within their boundaries existing or planned high occupancy vehicle lanes on the state highway system, or a regional transportation investment district for capital improvements, but only to the extent that the surcharge has not already been imposed by the county, may, with voter approval, impose a local surcharge of not more than (~~((three tenths of one percent of the value on vehicles registered to a person residing within the county and not more than))~~) 13.64 percent on the state sales and use taxes paid under the rate in RCW 82.08.020(2) on retail car rentals within the county or investment district. A county may impose the surcharge only to the extent that it has not been imposed by the district. (~~((No surcharge may be imposed on vehicles licensed under *RCW 46.16.070 except vehicles with an unladen weight of six thousand pounds or less, RCW **46.16.079, **46.16.085, or *46.16.090.))~~)

Counties or investment districts imposing a tax under this

section shall contract, before the effective date of the resolution or ordinance imposing a surcharge, administration and collection to the state department of licensing, and department of revenue, as appropriate, which shall deduct an amount, as provided by contract, for administration and collection expenses incurred by the department. ~~((All administrative provisions in chapters 82.03, 82.32, and 82.44 RCW, as existing on January 1, 2006, shall, insofar as they are applicable to motor vehicle excise taxes, be applicable to surcharges imposed under this section before June 7, 2006. Motor vehicles subject to the local surcharge authorized in this section shall be administered in accordance with ***this act if the surcharge is first imposed on or after June 7, 2006.))~~ All administrative provisions in chapters 82.03, 82.08, 82.12, and 82.32 RCW shall, insofar as they are applicable to state sales and use taxes, be applicable to surcharges imposed under this section.

If the tax authorized in RCW 81.100.030 is also imposed, the total proceeds from tax sources imposed under this section and RCW 81.100.030 each year shall not exceed the maximum amount which could be collected under this section.

Sec. 13. RCW 82.08.020 (Tax imposed--Retail sales--Retail car rental) and 2014 c 140 s 12 are each amended to read as follows:

(1) There is levied and collected a tax equal to six and five-tenths percent of the selling price on each retail sale in this state of:

(a) Tangible personal property, unless the sale is specifically excluded from the RCW 82.04.050 definition of retail sale;

(b) Digital goods, digital codes, and digital automated services, if the sale is included within the RCW 82.04.050 definition of retail sale;

(c) Services, other than digital automated services, included within the RCW 82.04.050 definition of retail sale;

(d) Extended warranties to consumers; and

(e) Anything else, the sale of which is included within the RCW 82.04.050 definition of retail sale.

(2) There is levied and collected an additional tax on each retail car rental, regardless of whether the vehicle is licensed in this state, equal to five and nine-tenths percent of the selling price. The revenue collected under this subsection must be deposited in the multimodal transportation account created in RCW 47.66.070.

~~(3) ((Beginning July 1, 2003, there is levied and collected an additional tax of three-tenths of one percent of the selling price on each retail sale of a motor vehicle in this state, other than retail car rentals taxed under subsection (2) of this section. The revenue collected under this subsection must be deposited in the multimodal transportation account created in RCW 47.66.070.~~

~~(4) For purposes of subsection (3) of this section, "motor vehicle" has the meaning provided in RCW 46.04.320, but does not include:~~

~~(a) Farm tractors or farm vehicles as defined in RCW 46.04.180 and 46.04.181, unless the farm tractor or farm vehicle is for use in the production of marijuana;~~

~~(b) Off road vehicles as defined in RCW 46.04.365;~~

~~(c) Nonhighway vehicles as defined in RCW 46.09.310; and~~

~~(d) Snowmobiles as defined in RCW 46.04.546.~~

~~(5))~~ Beginning on December 8, 2005, 0.16 percent of the taxes collected under subsection (1) of this section must be dedicated to funding comprehensive performance audits required under RCW 43.09.470. The revenue identified in this subsection must be deposited in the performance audits of government account created in RCW 43.09.475.

~~((6))~~ (4) The taxes imposed under this chapter apply to successive retail sales of the same property.

~~((7))~~ (5) The rates provided in this section apply to taxes imposed under chapter 82.12 RCW as provided in RCW 82.12.020.

**LIMITING GOVERNMENT-IMPOSED CHARGES RELATING TO MOTOR VEHICLES
BY PROHIBITING THE IMPOSITION AND COLLECTION
OF VOTER-REPEALED VEHICLE TAXES**

NEW SECTION. **Sec. 14.** RCW 81.104.160 and 2010 c 161 s 903 are each amended to read as follows:

(1) An agency may impose a sales and use tax solely for the purpose of providing high capacity transportation service, in addition to the tax authorized by RCW 82.14.030, upon retail car rentals within the agency's jurisdiction that are taxable by the state under chapters 82.02 and 82.12 RCW. The rate of tax shall not exceed 2.172 percent. The base of the tax shall be the selling price in the case of a sales tax or the rental value of the vehicle used in the case of the use tax.

(2) Any motor vehicle excise tax (~~((previously))~~) imposed under ~~((the provisions of RCW 81.104.160(1) shall be repealed, terminated, and expire on December 5, 2002, except for a motor vehicle excise tax for which revenues have been contractually pledged to repay a bonded debt issued before December 5, 2002, as determined by Pierce County et al. v. State, 159 Wn.2d 16, 148 P.3d 1002 (2006)))~~ this section may not be imposed or collected as of the effective date of this act, or after the date on which the bonds have been fully retired or defeased under section 15 of this act, whichever occurs first. In the case of bonds that were previously issued, the motor vehicle excise tax must comply with chapter 82.44 RCW as it existed on January 1, 1996.

Sec. 15. A new section is added to chapter 81.112 RCW to read as follows:

(1) An authority must fully retire or defease any outstanding bonds issued under this chapter by the effective date of this act, if:

(a) The revenue collected prior to the effective date of this act from the motor vehicle excise tax imposed under RCW 81.104.160 has been pledged to the bonds; and

(b) The bonds, by virtue of the terms of the bond contract, covenants, or similar terms, may be retired or defeased early at the authority's discretion.

MISCELLANEOUS

NEW SECTION. **Sec. 16.** The provisions of this act are to be liberally construed to effectuate the intent, policies, and purposes of this act.

NEW SECTION. **Sec. 17.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. **Sec. 18.** This act is called the "Bring Back Our \$30 Car Tabs Initiative."

--- END ---